

REMARKS

Consideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested. Claims 36-44 are pending and were allowed by an October 30, 2006 Notice of Allowance. The issue fee was previously paid on November 21, 2006.

This Preliminary Amendment is submitted along with a Request for Continued Examination and a Petition under Rule 313(c)(2) to withdraw from issue.

By this paper, claim 36 is amended. That claim had recited, *inter alia*, "radiation block connected to the heat radiation surface through said Peltier element" and now is amended to recite "radiation block connected to said Peltier element through the heat radiation surface." Support for this amendment may be found throughout the application as originally filed. No new matter will be added by entry of this amendment.

This amendment is not believed to adversely affect the patentability of the claims. Accordingly, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5091.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

By: 
Matthew K. Blackburn
Registration No. 47,428

Dated: November 28, 2006

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile